

REMARKS

Reconsideration of the application is respectfully requested in view of the following Remarks. Claims 1-8 were pending. Claims 1-8 are currently pending.

RESTRICTION REQUIREMENT UNDER 35 U.S.C. 121

The Examiner indicated that restriction of Claims 1-8 to one of the following inventions is required under 35 USC 121 and 372:

Group I: Claims 1-4 and 7, drawn to a compound of structural formula (I) and a process for the preparation of said compound.

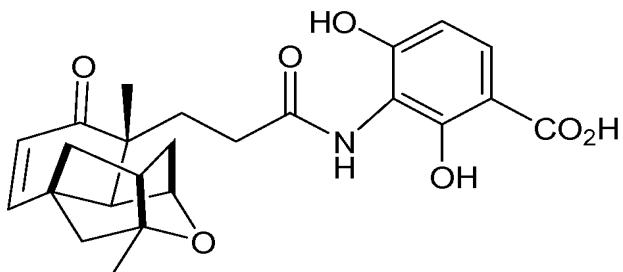
Group II: Claims 5 and 6, drawn to a *Streptomyces sp.* with ATCC # PTA-5316 and ATCC # PTA-5317.

Group III: Claim 8, drawn to a method of treating a bacterial infection in a host comprising the administration of the compound of formula (I).

Applicants are required to i) elect an invention to be examined, even though the requirement may be traversed (37 CFR 1.143) and ii) to identify claims encompassing the elected invention.

Applicants hereby elect Claims 1-4 and 7, drawn to a compound of structural formula (I) and a process for the preparation of said compound.

Applicants are required under 35 USC 121 to elect a single disclosed species for prosecution on the merits to which the claims will be restricted if no generic claim is finally held to be allowable. Applicants hereby elect the compound of formula (I):



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The following claims read on the elected species: 1 – 4, 7 and 8.

Respectfully submitted,

By /Baerbel R. Brown, Reg. # 47449/  
Baerbel R. Brown, Reg. No. 47,449  
Attorney for Applicants

MERCK & CO., Inc.  
P.O. Box 2000  
Rahway, NJ 07065-0907  
Tel.: (732)594-0672

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